

MINUTES

NORTHEAST MUNICIPAL ADVISORY COMMITTEE MEETING

WEDNESDAY – JULY 23, 2003

A meeting of the Northeast Municipal Advisory Committee took place on the above date at 7:00 P.M. at Michael Ann Russell Jewish Community Center, 18900 Northeast 25th Avenue, Miami, Fl.

COMMITTEE MEMBERS PRESENT:

Jaap Donath
Kenneth H. Friedman
Glenn H. Gopman
Jill B. Perez
Roslyn B. Weisblum

MIAMI-DADE COUNTY ELECTED OFFICIALS AND STAFF PRESENT:

Jorge M. Fernandez, Budget Analyst, Office of Management and Budget, UMSA Policy
Analysis and Services Unit
Sylvia Mora-Ona, Assistant Director, Miami-Dade Public Library System
Miami-Dade Department of Planning and Zoning
Tom Spehar
Jim Byers
Manny Garcia, Miami-Dade County Public Works
Luis Vargas, Team Metro
Miami-Dade Fire Department
David Wood
Barbara Matthews

1. The meeting was called to order at 7:15 P.M.

2. **Ken Friedman, Chair**

Ken Friedman gave a list of the neighbors he has worked with over the last 30 years so we will know what he is all about. Half the people here have worked with him on one civic issue or another over the years. People who have been elected in the new cities are the people who have been active for many years. It's common sense that if you have been active you will be active; whom else do you elect but people who are active.

The Committee is grossly underrepresented by the condos. He still has not gotten any names for condo leadership. If you know any leaders in the condos, let us know. Please see him after the meeting or call him if you have any questions that are not covered at the meeting. He went through the questions from the prior meeting and summarized the answers as follows:

- Q. If we included area 4 (the area west of I 95) would it be diluting our voting base?
 - A. The answer is yes, just as being part of Aventura would dilute our base and we would be a minority element to the City of Aventura, some of this gets equalized if the charter creates districts.
- Q. Can we deduct for private services?
 - A. No, you don't get personal deductions but if we were a city they would be on your tax rolls and they would be deductible.

- Q. What role did the Homeowners have in getting Beth Torah?
A. The Association approved the zoning and promoted it to Dade County.
- Q. What happens with UMSA services in the future?
A. The County 6 hour tape indicates that the County wants to get out of the UMSA services. Commissioner Heyman and Commissioner Morales told us that it was the feeling of the County to get out of the UMSA services. If we stay in UMSA we will probably pay much more, therefore making the argument for potential incorporation or annexation.
- Q. Why don't the Board members have more support?
A. The County is only willing to give us a certain amount of support; the rest is up to you. He has created some sub-committees and asked the public if they want to serve on the sub-committees and no one has volunteered at this point.
- Q. Will we pay more if we incorporate for services we get now?
A. No, in fact in some cities some of the costs actually went down.
- Q. Can we get police ticket revenue?
A. Yes, cities get a percentage of the fines generated from the area in which the ticket occurs. This is an additional source of revenue.
- Q. Will incorporation change zoning?
A. It could. In fact the County created Community Councils to get out of the zoning issues but the areas kept the County's zoning rules. Being a city would allow us to create zoning rules and code enforcement and get permits and violation fees thus creating additional revenue while also improving the neighborhood.

He mentioned that index cards are on the table if the public has questions; if they have questions of any of the speakers, he will ask those questions on their behalf. If there are questions that come up that do not relate to the speakers, he will answer those questions either after the meeting or at the following meeting. This is not a public hearing, but an open meeting. The public notices appear on Mondays in the Miami Herald on page 5B and/or 8B.

We do not have the minutes so we will follow up on that at our next meeting; we will be approving last meeting's minutes and then this meeting's minutes. So we will not be voting on the adoption or correction of those minutes.

3. Glen Gopman had some opening remarks. For some of the new people who are here for the first time, he wanted to introduce himself as the President of the Skylake-Highland Lakes Homeowners' Association, as well as a member of this Committee. The MAC was created based upon what is happening all around us. Looking at the current map of Miami-Dade County you will see that all the colored areas are areas that have either incorporated or are in the process of studying incorporation at this moment. The only areas left in Miami-Dade County that aren't studying incorporation are way to the South, California Club, and a small area between North Miami and North Miami Beach. The trend is moving heavily in the direction of incorporation. So it begs the question: what do the other communities know that we don't know? After already studying incorporation why are these other areas deciding that they have the money to service themselves better than what they were getting from the County? And what is in store for the rest of us in unincorporated Miami-Dade County as the County's tax revenue base erodes and their ability to service us would seem to be impaired? Does that mean that we will get the same level of services from the County? Does that mean that the County will have to raise our millage rate and taxes go up? We don't know. We welcome you to study the issue of incorporation with us; we're here to learn about our government.

Learn how they deliver services to us and what services are delivered. Glen Gopman reviewed the boundaries and Committee member's backgrounds and where they reside within the boundaries.

4. Ken Friedman reviewed the subcommittees which have been created up to this point; they are as follows:

- Committee on outreach and developing pros and cons on incorporation, which is chaired by Scott Jay. Contact Scott Jay if you would like to get involved.
- Budget committee, which currently has Rochelle, Bill Koppel, and Naomi Benson on it. So if any of you would like to be on the budget committee let us know. Jill Perez is researching some of the other cities to get their budget numbers.
- Jaap is doing a study on demographics, which is another committee.

If you would like to volunteer for a subcommittee put your name on an index card and get it to us. Ken asked for volunteers for a tax bill. White-out your name and address; we need one from the South and one from the North, so we can actually look at how a tax bill is broken down and we can blow that up and show it. The tax bill is not just UMSA; there are taxing districts, lighting districts, etc.

5. Japp Donath stated that there are good demographics available through the County but we have to get the boundaries set first. Ken Friedman agreed that we have to look at the question of boundaries. There is a question of whether or not we can study west of I95 without the other Commissioner's consent. Commissioners Betty Ferguson and Sally Heyman must get together and resolve this point. Until they resolve this we cannot study areas West of I-95 outside of Commissioner Heyman's district.

6. Presentation by Sylvia Mora-Ona, Assistant Director, Miami-Dade Public Library System

Miami-Dade Public Library System is funded through a special taxing district. They get .486 mills: for every \$100,000 that your house is assessed they get \$48.60 for your entire library service for an entire year. When you incorporate, because they are a countywide library system, you will continue being part of this taxing district. Two years ago the Miami-Dade Public Libraries developed a capital plan. They had not grown since 1970. There were 30 libraries. The Board of County Commissioners approved a plan to build 18 more libraries in communities where there was no library service. In the year 2005, there is a mini-library coming in around the California Club area. There is also the Northeast Branch Library on the other side of US-1. Sunny Isles Beach has an interlocal agreement with Miami-Dade County to provide services there, also coming in the year 2005. Also, right beyond North Miami Beach at N.E. 2nd and 166th Street there is a library that will be built probably in the next 2 years, in Commissioner Rolle's District 2. That will be a 7,500 square foot facility. She stated that we are library wealthy in this area since we can go many places. There is also the bookmobile. As it is right now they do not have any plans to build a library in this MAC area for the current capital plan, which is for the next 10 years. That could also change with our input with the Board of County Commissioners if we become a city.

Ms. Mora-Ona then addressed questions from the public. Once we are incorporated we can develop an interlocal agreement for a library; until then we do not have a representing lobby with the Board of County Commissioners. The Board of County Commissioners approved the California Club, so it will probably stay in that area, it will be a rented facility in a shopping center. The library in Sunny Isles Beach will be on the first floor of the City Hall. The goal of the Miami-Dade Public Library System is to be in every community. They have been studying the library in Aventura for the last year; they are

developing a plan. The library was built in the 1970's; they realized that it needs renovations. The capital plan includes two million dollars for renovations. This fall, you will see a plan to renovate the interior space, get rid of the courtyard, etc. They are operating the library system with the same employees that they had in 1990; the library system has grown but the number of employees has not.

7. Presentations by Tom Spehar and Jim Byers, Department of Planning and Zoning

Tom Spehar is representing the planning side. It is their responsibility with the Department of Planning to draw up the long-range plans for the County. They generate a document containing a master plan; its elements include: land use, recreation, transportation, aviation, etc. They also have another section, which deals with concurrency, which is that when there is any new development that there is sufficient infrastructure to carry the new development in terms of traffic, sewer, water, etc. They have formulas and plans that indicate that the new development can be served by the existing facilities; if they can't be served because they exceed the capacity then the County gets together with the developer to work out some kind of plan. The other section of the department is Planning Research, whose responsibility is census figures, population and housing studies, economic analysis, etc. They also have landscape and urban design manuals. He is in Community Planning; they deal with Community Councils, annexation, and incorporation, small area studies, and environmental reviews (programs that involve federal funding for enhancing low and moderate income housing). They are also working on Community Council redistricting as a result of incorporation of Miami Gardens. Two of the Community Councils have been split. They are trying to figure out what they are going to do with the remainder of Community Council 3 and 4. He can be reached at 305-375-2476.

Jim Byers is here to give us an overview of the zoning responsibilities that we will be required to take on if we decide to incorporate. One of the first things we will have to do is create our own zoning code, requirements and standards for current and future development. This could range from lot coverage that you want permitted, to regulating of the garage sales, junk cars, etc. Most cities that have incorporated usually use the County's current code on an interim basis until they adopt their own code. That is a decision we will have to make, do we want to use the County's code or adopt our own code? To adopt our own code we would probably have to hire a consultant. Then we would have to consider staffing of the zoning department. There are three areas of staffing that he said we would probably need to address: general responsibilities, zoning and hearing process, and permitting process. You would need some of the following staff members: people on staff who can answer basic zoning information questions; someone who can interpret the code; someone to take care of the zoning maps, a graphics section; technicians that know the zoning code and regulations and how to interpret the resolutions; an evaluator who could be your City Planner that would evaluate the applications; clerical staff who will send out public notices, etc.; landscape architect or technician; zoning inspector to make sure people are in compliance, which could also be the building inspector(s); someone to take care of certificates of use/occupancy, which could be your inspector or technician. At this time the County takes care of all of these services. They do offer the opportunity to anyone that incorporates to create an interlocal agreement to continue the service. We could create our own code and the County would adopt and implement our regulations when reviewing plans and doing zoning inspections.

8. Ken Friedman, Chair

Ken Friedman proceeded to address questions from the public. He stated that we could keep the County's existing infrastructure and their existing bureaucracy assisting us and all we would have to do is change the zoning and code enforcement laws that would affect our neighborhood. The

Homeowner's Association has done surveys in the past and the number one complaint by our citizenry was code enforcement and the fact that we wanted stricter zoning and code enforcement rules than the County currently had, which the city would allow us to do. Right now if you want to get a permit you have to go down to Kendall. The Homeowner's Association has asked Team Metro to try and get some permitting done locally so we are not inconvenienced in having to go down there. A representative is here from Team Metro and perhaps they will address that with us. Pinecrest has been using the County's services for the last two years; now they have their own zoning department.

9. Presentation by Manny Garcia, Miami-Dade County Public Works

Public Works is a very diverse agency within the County. They cover many different issues throughout the County such as: road maintenance and construction; bridge maintenance; sidewalk construction and repairs; canal maintenance; landscape maintenance; street lighting and signalization; signage; and highway design. He can be reached at 305-592-4108.

He addressed some questions from the public. Most of the sidewalks in Miami-Dade County are being repaired through the Quality Neighborhood Improvement Bond Program. He has a list of the sites that are funded at this time through that program. If you give him an exact address or location he can tell you if it is funded, if it is in the program. When it comes to Public Works, the majority of their functions, except for street lighting, signs, signals, would be the responsibility of the municipality. Arterial roadways would continue to be maintained by Miami-Dade County. Canal maintenance is an interlocal agreement between DERM and the municipality and they contract Public Works to do that function. At this time the County is on a lump sum of 60 million dollars for sidewalk repairs throughout the County; they do not have the funding and resources to do concrete sidewalk repairs throughout the County. The reason they use asphalt to repair the sidewalks is because once they are aware of the trip hazard they have to repair it. Unfortunately, this is the cheapest and the quickest way they have to repair the sidewalk. Secondary canals are maintained by Miami-Dade County. Primary canals are maintained by South Florida Water Management. The majority of the lakes in Miami-Dade County are privately owned, however Public Works does have special taxing districts, which will assist you in maintaining your body of water. Canker tree is not something they are responsible for; that would be the U.S. Department of Agriculture. In sidewalk repair the County has allocated to Public Works to do minor sidewalk repair approximately \$100,000 per year. As long as roots keep growing and there is vehicular traffic they will continue to damage sidewalks even as they repair them.

10. Presentation by Luis Vargas, Team Metro

He is with Team Metro, Northeast office, located at 1658 N.E. Miami Gardens Drive, Skylake Mall. He brought some handouts with the services that Team Metro provides. The first of the handouts is the outreach case study. Outreach is the section of their department that gets involved with the community. They get involved with cleanups, paint-outs, etc. Another function of the outreach is the referral of cases to various departments of Miami-Dade County. The majority of the cases that were referred from this particular area were Public Works related issues. The next most frequent type of referral made was Solid Waste issues. They have Team Metro painters that respond to graffiti issues; they paint and eradicate graffiti on public right-of-ways. The next handout covers the in-house services such as: bus passes, discount passes, tokens, dog tags, parking permits (\$5 monthly permit you can utilize at Metro stations), bike and ride (free pass to take your bicycle on transit), golden passports (free bus pass for seniors 65 and older that reside in Miami-Dade County; by September 1, 2003 must have this not just I.D. to ride free), U.S. Passport Agent, and baby-stroller permits. The last

handout is code enforcement, which lists violations found. In Miami-Dade County, the only object that is legally allowed in the County right-of-way is the mushroom, which is ten inches in diameter and four inches high. Concrete pyramids, coral rock, railroad ties, etc. are illegal. Signs on the right-of-way are illegal; you may not advertise your garage sales, house sales, or open houses by putting signs in the right-of-way. That is a violation of the code, which is enforced by an immediate ticket.

He then addressed questions from the public. There is a minimum housing code; there is nothing in the code to allow Team Metro to enforce the painting of a home. They do not have the ability to enforce what color a home is painted since there is nothing in the code regarding this. Through Minimum Housing, he spoke to Mr. Ed Brown, about some things they could address for instance fascia boards that could be rotting away or a planter in front of your house that is in need of repair, they can address those issues that Team Metro cannot address. They will be forwarding some referrals that they could not handle to the Minimum Housing Division. They also get very much involved with landlord/tenant type of issues since landlords must provide minimum housing standards by law to a tenant. There are two code compliance officers assigned to the MAC area. One from 215th to 207th from the railroad tracks (West Dixie Hwy) west to N.E. 2nd Avenue; the other from 207th to Miami Gardens Drive from the railroad tracks west to 441. You are allowed two garage sales per year; after that the homeowner would be issued a ticket. He can be reached at 305-947-9858, e-mail LXV@miami-dade.gov. They expect their code compliance officers to be proactive and not just drive by a violation.

11. Presentation by David Wood, Miami-Dade Fire Department

He introduced himself; his office is at 2280 N. E. Miami Gardens Drive. Feel free to stop in anytime. He is here on behalf of his chief, Chief Almaguer, who is the division chief responsible for all of Northeast Miami-Dade County, which is from County Line to 79th Street and to approximately N.W. 12th Avenue. They have a large geographic area. They have Barbara Matthews here from their planning section; she is an expert on doing studies and is involved in placing new stations. He is in operations. He is here to give us an overview of what is happening right now in this area of the County. Over the years they have looked to see where the calls have increased and the response times have increased to look to place in-fill stations (stations between the existing stations). It is a complicated process of analyzing data such as type of calls, medical calls vs. fire calls, and response times of these calls. He is happy to tell us that within the next six to nine months they plan to open new service right on the edge of our MAC at Ives Dairy Road and just West of I-95 at N.E. 16th Avenue. It will have a fire truck and be an advanced life support (ALS) unit so that it will have four fire fighters, a minimum of two who will be paramedics. It will have full paramedic capabilities. It can do everything that a rescue vehicle can do except transport you to the hospital. They have determined that this is a type of unit that will best serve and fit in with the existing system. This unit will be a satellite unit for hazardous materials; it will have a minimum of two hazardous materials technicians. This will give us a real increase in the service that they can deliver in this area for the everyday LP tank leaks, chlorine leaks, and stronger initial actions if we have a large terrorist attack. Geographically this location is between two fire stations. It is right along I-95 where we get a large number of calls. There has been a decrease in EMS transports in the area since 1997, so that was one of the reasons that led them to go towards the fire truck vs. the rescue truck. But they also want to have increased paramedic capabilities so that is why they have gone with the ALS unit.

He then addressed questions from the public. They will be calling this new station the Highland Oaks Station. (Ken Friedman asked him to provide response times for the areas in our MAC for a future

meeting.) Approximately 80 percent of their calls are medically related. EMS is the bulk of what they do, that is why all of their paramedics are firefighters. Their fire trucks even if they are not licensed ALS, typically have paramedics on them. They have been mandated by the County to upgrade the fire trucks that are existing to ALS capabilities, four per year. The equipment for the Highland Oaks Station may have to be located at Station 8, the Aventura Station, until the interior of the new structure that already exists is up and running. Glen Gopman feared that this would still keep us in a “dead zone” (which he explained is when the unit at North Miami Beach is out on a call and the backup call goes to Aventura, if there is a train on the tracks or gridlock at the Ives Dairy or Miami Gardens intersection they cannot get to the Skylake-Highland Lakes area for maybe 8 to 10 minutes and in that time someone who has a heart attack could be dead.) Mr. Wood is not familiar with the phrase “dead zone.” He said they deal with railroad tracks all over Dade County. If the unit is rolling and there is a train on the tracks they will signal on the radio and they will have to send a unit from the other side. Most of the time train tracks do not have a train on them. When there is a fire, fire trucks come from many stations. They will get response times to us at a later date. They are doing everything they can to get the new station in service and they are ahead of the game because they have an existing facility. There was an issue brought up by the public about the gridlock at N.E. 16th Avenue due to ingress and egress at Krop High School in the morning and afternoon. This issue was to be further discussed after the meeting. Whether you live in a city (except the cities that have their own fire departments, which are Miami, Hialeah, Miami Beach, Key Biscayne, and Coral Gables) or in UMSA you pay fees into the fire-taxing district. They have been rolling back the fire rescue millage.

12. Ken Friedman stated that at the next meeting we will have DERM, building, parks, recreation, and water and sewer. The next meeting will be here on August 13, 2003.
13. Glen Gopman wanted to know what the purpose is to meet with all the County departments that we pay separately that are not part of our UMSA budget? There is no change in our cost structure; there is no change in services.
14. Ken Friedman stated that based on the information they give we can determine if we became a city what additional services we might want for our specific area; obviously, if we want additional services, we will have to pay for additional services. In addition, some of the speakers have been able to answer your concerns, which is productive.
15. Jorge Fernandez agreed that a lot of it has been so that everyone can understand what services are going to be part of our municipality and that our new municipality will be responsible for and what services the County will continue to do and what they are doing now.
16. Jaap Donath brought up the issue of boundaries. He prefers it to be one big area instead of splitting it up; he prefers to go back to the area we started with.
17. Jorge Fernandez stated that at one of the previous meetings some people from the audience wanted to know why the MAC didn't go west of I95. The MAC asked them to study the area west of I95. Area 4 is part of Sally Heyman's district. There is some Miami-Dade legislation that only allows MACs to study areas within their Commissioner's district. We cannot study areas in Commissioner Ferguson's district until she agrees that we can look into that area.
18. Motion by Japp Donath to go back to the one original boundary area. Motion seconded by Glen Gopman.

Discussion:

Japp Donath mentioned that retaining some of separate areas could create enclaves. Japp does not get the rationale behind the odd shapes of the areas. We need to move forward with one area.

Glen thinks that when it starts being so divisive, when everyone is just saying let me have mine and let the other people take care of themselves, he thinks we stop becoming a community and we should go back to our original boundaries that were very inclusive. Probably the only other one that made a lot of sense was going west where they actually have a higher tax base than we do; they have more residents than we do so we would lose some control but there is actually nothing stopping the California Club area from doing their own MAC study and for us all getting together and talking about it. So for right now, he thinks we should do our own MAC study. We can't move forward with our study until we determine our boundaries.

The Chair opened up discussion on the motion from the floor. A resident from the area west of I95 said they would prefer to study their neighborhood on their own; they have a right to determine their own future. They appreciate us looking at it but they would like to look at it from their own point of view. Maybe we could all come together in the future. Another audience member said he was the one who originally brought up the area west of I95; he said he did it because the more people you put together to make a city, the less it will cost everyone; it was not intended to take peoples' rights away. Some people in the audience felt the motion should be tabled to a future meeting when more people may be present. Several people in the audience believed we should not separate the area into small areas that cannot stand on their own; they want to be a part of the whole.

The question was called.

Motion carried.

- 19.** Ken Friedman said at a later date we might look at other boundary configurations but for now we will be looking at this one original area. Glen Gopman said we should put it on the agenda for a future meeting. Ken Friedman asked Jorge Fernandez to call the other Board members to get a larger majority. Ken mentioned that the County does not allow enclaves or cherry picking.
- 20.** The next item on the agenda was discussion of the handout, which broke down the impact on UMSA for each of the five areas that had been carved out on the map.
- 21.** Meeting was adjourned.

**Roslyn B. Weisblum
Recording Secretary**